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8 M&M CONSTRUCTION, INC.

9
10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 AZURE MANOR/RANCHO DE PAZ
HOMEOWNERS ASSOCIATION, a Nevada
residential, common-interest planned community,

13 Plaintiff,

14 vs.

15 D.R. HORTON, INC., a Delaware corporation;
U.S. HOME CORPORATION, a Delaware
16 corporation; LENNAR CORPORATION, a
Nevada corporation; LENNAR SALES CORP., a
17 California corporation, and DOES 1-225,
inclusive,

18 Defendants.

19
20 U.S. HOME CORPORATION, a Delaware
corporation,

21 Third-Party Plaintiff,

22 vs.

23 AMERICAN ASPHALT & GRADING
COMPANY, a Nevada corporation; M&M
24 CONSTRUCTION, INC., a Nevada corporation;
TERRA CONTRACTING, INC., a Nevada
25 corporation; NEVADA LANDSCAPE CORP., a
Nevada corporation; MS CONCRETE CO., INC.,
26 a Nevada corporation; THE SYLVANIE
COMPANIES, INC. dba DRAKE ASPHALT &
27 CONCRETE, a Nevada company; C&H
CONCRETE, LLC dba CORONADO
28 CONCRETE, a Nevada limited liability
company; NEW CREATION MASONRY, INC..

) Case No. 2:15-cv-01623-GMN-VCF

) **STIPULATION AND ORDER**
) **DISMISSING U.S. HOME**
) **CORPORATION'S THIRD-PARTY**
) **COMPLAINT AGAINST THIRD-PARTY**
) **DEFENDANT M&M CONSTRUCTION**
) **WITH PREJUDICE**

1 a Nevada corporation; MSI LANDSCAPING,)
 2 INC., a Nevada corporation fka MIST SYSTEMS)
 3 INTERNATIONAL, a Nevada corporation,,)
 4 Third-Party Defendants.)

5 It is hereby stipulated and agreed to between Defendant/Third-Party Plaintiff U.S. HOME
 6 CORPORATION, by through its attorneys of record Gregory H. King, Esq. and Sarah J. Odia, Esq.
 7 of the law firm of PAYNE & FEARS, LLP and Third-Party Defendant M&M CONSTRUCTION,
 8 INC. by and through its attorneys of record, Lucian J. Greco, Jr., Esq. and Chata N. Holt, Esq. of
 9 the law firm of BREMER, WHYTE, BROWN & O'MEARA, LLP, hereby stipulate that U.S.
 10 HOME CORPORATION'S Third-Party Complaint against M&M CONSTRUCTION, INC. is
 11 hereby DISMISSED WITH PREJUDICE, along with any and all claims U.S. HOME
 12 CORPORATION has against M&M CONSTRUCTION, INC. in this matter. Each party is to bear
 13 their own attorneys' fees and costs.

14
 15 DATED this 10th day of November, 2016

DATED this 10th day of November, 2016

16 **PAYNE & FEARS, LLP**

**BREMER WHYTE BROWN & O'MEARA,
 LLP**

17
 18 By: /s/ Sarah J. Odia

By: 

19 Gregory H. King, Esq.
 Nevada Bar No. 7777
 20 Sarah J. Odia, Esq.
 Nevada Bar No. 11053
 21 7251 W. Lake Mead Blvd., #525
 Las Vegas, Nevada 89128
 22 Attorneys for Defendants/Third-Party
 Plaintiffs, U.S. HOME CORPORATION,
 23 LENNAR CORPORATION and LENNAR
 SALES CORP.

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 M&M CONSTRUCTION, INC.


ORDER

IT IS HERBY ORDERED, ADJUDGED, AND DECREED that U.S. HOME CORPORATION'S Third-Party Complaint against M&M CONSTRUCTION, INC. shall be dismissed with prejudice and that the parties shall bear their own attorneys' fees and costs in connection with these claims.

Dated this ¹⁵ day of November, 2016


UNITED STATES DISTRICT COURT JUDGE

Respectfully Submitted By:
BREMER WHYTE BROWN & O'MEARA LLP

By: 
Lucian J. Greco, Jr., Esq.
Nevada Bar No. 10600
Chata Holt, Esq.
Nevada Bar No. 12228
Attorneys for Third-Party Defendant,
M&M CONSTRUCTION, INC.